

Court No. - 87

Case :- APPLICATION U/S 482 No. - 21376 of 2013

Applicant :- Ajay Dewan And 4 Others

Opposite Party :- State of U.P. and Another

Counsel for Applicant :- Sandeep Kumar,Rahul Sripat,Vipin Kumar

Counsel for Opposite Party :- Govt. Advocate,K K Chaturvedi,Vikrant Rana

Hon'ble Neeraj Tiwari,J.

1. Heard learned counsel for the applicants, learned AGA for the State and Sri Vikrant Rana, learned counsel for opposite party no.2.

2. The present application has been filed for quashing the proceedings of Case No. 1805 of 2012 (State Vs. Ajay Deewan and Others), arising out of Case Crime No. 147 of 2012, under Sections 323, 504, 506, 342, 352 and 147 IPC, Police Station - Civil Lines, District - Meerut, pending in the court of Additional Chief Judicial Magistrate, Court No. 5, Meerut.

3. Learned counsel for the applicants submitted that present criminal proceedings is arising out family dispute and ultimately parties have entered into compromise on 4.10.2021. He next submitted that in the present matter, compromise affidavit has also been filed and in the said affidavit, it is mentioned that opposite party no.2 does not want to pursue any criminal proceedings against the applicant. He lastly submitted that in light of compromise, present proceeding may be quashed.

4. Sri Vikrant Rana, learned counsel for opposite party no.2 has not disputed the fact and also informed that another proceedings between the parties has also been quashed by this Court vide order dated 8.5.2023 passed in Application U/S 482 No. 27479 of 2021. He further submitted that in case this Court is pleased to quash the criminal proceeding pending against the applicants, he would have no objection.

5. In view of above, the applicants and respondent no. 2 do not want to pursue the case any further as stated by them. The matter has been mutually settled between the parties, therefore, no useful

purpose would be served in proceeding with the matter further.

6. Thus in view of the well settled principle of law as laid down by the Hon'ble Apex Court in the matters of **Krishnappa & Ors. vs. State of Karnataka; 2021 0 Supreme(SC) 529, Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and Ors. vs. State of Gujarat and another; 2017 9 SCC 641, B.S. Joshi Vs. State of Haryana; 2003(4) SCC 675, Nikhil Merchant Vs. Central Burea of Investigation and another; (2008) 9 Supreme Court Cases 677, Gian Singh Vs. Stated of Punjab; (2012) 10 SCC 303 and Narinder Singh & others Vs. State of Punjab and another; (2014) Supreme Today 642**, the proceedings of the aforesaid case is hereby quashed.

7. The present application is, accordingly **allowed**. No order as to costs.

Order Date :- 2.11.2023

Junaid